

# FORM QRO—D2.4

Version 8—Effective 1 January 2023

*Duties Act 2001* sections 155 and 246AK



Queensland  
Government

## Guide to completing a notice for reassessment of transfer duty—home, first home or first home vacant land concession

### Keep this guide for future reference.

Meaning of terms used in this form are on page 2 of this guide.

### When to complete this form

Complete this form within 28 days if you received the benefit of a home, first home or first home vacant land concession and any of the following apply:

- You did not occupy the residence as your home within:
  - 1 year of the transfer date (for home or first home concessions)
  - 2 years of the transfer date (for first home vacant land concessions).
- Before occupying the residence as your home, you:
  - sold or transferred all or part of the property
  - leased a room or another part of the property
  - leased the whole property
  - granted exclusive possession to another person.
- Within 1 year of occupying the residence, you:
  - sold or transferred all or part of the property
  - leased a room or another part of the property
  - leased the whole property
  - granted exclusive possession to another person.
- There was an existing tenant who:
  - extended or renewed their lease
  - did not vacate after the end of their current term (e.g. stayed on under a week-to-week lease)
  - did not vacate the property within 6 months of the transfer date.
- The former owner did not vacate the property within 6 months of the transfer date.
- You did not finish building your residence within 2 years of the transfer date (for first home vacant land concessions).
- You demolished or removed the existing residence without living there.
- You acquired leasehold property and surrendered the lease before or within 1 year of occupation.
- You were never eligible to claim the concession (e.g. claimed a first home vacant land concession, but there was a shed or other structure on the property).
- You otherwise did not meet a concession requirement in a manner not listed above.

### Special circumstances

If you believe you have special circumstances, such as the residence being damaged by a natural disaster or the death or incapacity of the owner, provide a written explanation in Part F of the form. In some cases, you may not have to repay the concession.

### When not to complete this form

You do not need to complete this form if you received the benefit of a concession and any of the following apply:

- You transferred part of the land to your spouse and the transfer was exempt from duty under s.151 of the *Duties Act 2001*.
- You entered into a retirement village leasing arrangement for a residence you acquired.

## Other parties to the transaction

If you claimed a concession with another person, include their details at Part B.

- Complete one form if your circumstances are the same.
- Complete separate forms if your circumstances differ (e.g. different occupation dates).

We will issue one reassessment notice only.

## Lodgement options

You can complete and lodge this form online, or by email or post.

- Online: [www.qld.gov.au/concession](http://www.qld.gov.au/concession)
- Email: [dg.compliance@treasury.qld.gov.au](mailto:dg.compliance@treasury.qld.gov.au)
- Post: Commissioner of State Revenue, GPO Box 2593, Brisbane Qld 4001

## Duty, interest and penalties

Your transaction may be reassessed, requiring you to pay back all or part of the concession. Unpaid tax interest and penalty tax may also apply.

If you received a foreign retiree exemption from additional foreign acquirer duty (AFAD), you may also have to pay back all or part of the exemption.

Failing to give notice that you are no longer able to meet the requirements for the concession is an offence. The maximum penalty is \$13,055.

## Meaning of terms

### Exclusive possession

Exclusive possession generally means the right to exclude all others, including the owner, from all or part of the property.

Whether exclusive possession has been granted depends on either:

- the terms of the agreement, if it is in writing
- the particular facts and circumstances of the arrangement, if there is no written agreement.

### Home

A residence is your home if you occupy it as your principal place of residence (i.e. you live in it with your belongings on a daily basis).

### Occupation date

The occupation date is the date the person, as owner of the residence, starts occupying it as their principal place of residence.

### Property

Property is land, including any residence that is, or will be, constructed on the land.

### Residence

A residence is a building, or part of a building, that is all the following:

- fixed to land
- designed, or approved by a local government, for human habitation by a single family unit
- used for residential purposes.

### Specified foreign retiree

A specified foreign retiree is an individual who:

- holds a retirement visa (subclass 405 or 410)  
or
- applied for a parent visa (subclass 103) or contributory parent visa (subclass 143) on or after 8 May 2018 and the application is pending, and the last substantive visa held before applying is a retirement visa (subclass 405 or 410).

### Transfer date

The transfer date is the date you were entitled to possession. This is usually the date of settlement or the date the land is vested in your name.

## More information

For more information, visit:

- **qro.qld.gov.au** to read public rulings on
  - reassessment of transfer duty home concessions where not all taxpayers comply with the conditions (DA000.11)
  - concessions for homes and first homes (DA085.1)
  - remission of unpaid tax interest (TAA060.1)
  - penalty tax in relation to reassessments of home concessions (TAA060.3)
- **qro.qld.gov.au** to learn about concessions for homes and other transfer duty matters.

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Commissioner of State Revenue  
GPO Box 2593  
Brisbane Qld 4001  
Email: [dg.compliance@treasury.qld.gov.au](mailto:dg.compliance@treasury.qld.gov.au)  
Ph: 1300 300 734

Visit **qro.qld.gov.au** for information about duties and other state taxes.

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## Notice for reassessment of transfer duty—home, first home or first home vacant land concession

Complete this form if you received the benefit of the home, first home or first home vacant land concession, or additional foreign acquirer duty (AFAD) exemption and were unable to satisfy the conditions.

This form can be lodged online at [www.qld.gov.au/concession](http://www.qld.gov.au/concession). Read the 'Guide to completing a notice for reassessment of transfer duty—home, first home or first home vacant home concession' before you begin.

### Part A—Your details

First name

Middle name

Surname

Date of birth

D	D	M	M	Y	Y	Y	Y
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Current postal address

Suburb

State

Postcode

Phone number

Email address

### Part B—Other party to the transaction

If you claimed a concession or AFAD exemption with another person and your circumstances are the same, enter the other person's details below. Otherwise, you need to lodge separate forms.

First name

Middle name

Surname

Date of birth

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

Phone number

Email address

## Part C—Property details

Address of property

Suburb  State  Postcode

Real property description (as per council rates notice)

Lot number  Plan type (e.g. RP, SP)  Plan number

When was the transfer date?  
(This is the usually the settlement date.)

## Part D—Concession type and AFAD exemption claimed

Which concession or exemption did you and any person listed in Part B claim?

- First home concession     Home concession     Both the home and first home concessions
- First home vacant land concession     Specified foreign retiree AFAD exemption

## Part E—Your circumstances

Select **one (1)** of the following that best matches your situation. Provide dates where applicable.

- The former owner did not vacate the property within 6 months of the transfer date.
- You did not finish building a residence within 2 years of the transfer date.
- You demolished or removed the existing residence without living there.
- You entered into a new lease for the property before occupying the residence.
- You were never eligible to claim the concession.

You did not occupy the residence as your home within:

- 1 year of the transfer date (for home and first home concessions).
- 2 years of the transfer date (for first home vacant land concessions).

The residence was unoccupied at the transfer date; and before moving in, you:

- sold or transferred all or part of the property.
- leased a room or another part of the property.
- leased the whole property.
- granted exclusive possession to another person.

You occupied the residence as your home from , but within 1 year of occupation you:

- sold or transferred all or part of the property on .
- leased a room or another part of the property from .
- leased the whole property from .
- granted exclusive possession to another person from .

An existing tenant:

- extended or renewed their lease.
- did not vacate after the end of the current term.
- did not vacate the property within 6 months of the transfer date.

Complete **Part F** if your situation is not reflected in the above list.

## Part F—Special circumstances

Explain your circumstances if they are not covered in Part E, or you wish to tell us why you could not meet the concession or exemption requirements.

## Part G—Verification

This form can be signed by the person(s) who claimed the concession or exemption, or their agent.  
I/We verify that the information supplied in this form is true and correct.

Signature

Name

Date

Signature

Name

Date

Queensland Revenue Office is collecting the information on this form on behalf of the Commissioner of State Revenue for the purposes of administering state revenue. This is authorised by the *Duties Act 2001*, the *Land Tax Act 2010* and the *Taxation Administration Act 2001*. Your personal information may be disclosed without your consent in circumstances outlined in the Taxation Administration Act or as otherwise authorised by law. It is Queensland Revenue Office's usual practice to disclose personal information collected on this form to the Australian Taxation Office and other Australian state and territory revenue offices in accordance with the Taxation Administration Act.

Commissioner of State Revenue  
GPO Box 2593  
Brisbane Qld 4001

Email: [dg.compliance@treasury.qld.gov.au](mailto:dg.compliance@treasury.qld.gov.au)

Ph: 1300 300 734

Visit [qro.qld.gov.au](http://qro.qld.gov.au) for information about duties and other state taxes.